



2026:AHC:22756

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - B No. - 418 of 2026

Shyam Lal And Another

.....Petitioner(s)

Versus

Board Of Revenue Prayagraj District Prayagraj
And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Kshatresh Kumar, Vindhya Vashini Prasad Rai
Counsel for Respondent(s)	: C.S.C., Kaushal Kishore Mani

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Vindhya Vashini Prasad Rai, learned counsel for the petitioners, Mr. Ravi Singh Parihar, learned Standing Counsel for the State-respondents and Mr. Kaushal Kishore Mani, learned counsel for the respondent no.2/ Gaon Sabha.

2. The instant petition has been filed for the following reliefs:

"a. Issue a writ, order or direction in the nature of certiorari quashing impugned order dated 16.12.2025 passed by the Hon'ble Member (Judicial), Board of Revenue, Allahabad in REV/88/2013-2014/Saharanpur (Shyam Lal & others vs. Gram Sabha) under section 333 U.P.Z.A. & L.R. Act whereby rejected the prayer to permit the revisionists/applicants to cut all the Eculiptis trees standing on the land in dispute in application No. 88 of 2023 dated 14.12.2023 filed in above mentioned revision (Annexure No. 1 to this writ petition).

b. Issue a writ, order or direction in the nature of mandamus permitting the petitioners to cut all matured/ripe Eculiptis trees standing on the land in dispute so that the justice may be done; otherwise the petitioners shall suffer irreparable loss and injury."

3. Learned counsel for the petitioners submitted that the impugned order passed by the Board of Revenue is wholly illegal. He further submitted that the petitioners have planted

trees in pursuance of the plantation lease executed in favour of the petitioners, as such, petitioners be allowed to cut the trees planted by them over the plot in question. He further submitted that the revision filed by the petitioners is pending before the Board of Revenue. He further submitted that the application dated 14.12.2023 filed by petitioners to cut the trees planted by the petitioners has been rejected on misconceived ground, as such, impugned order should be set aside and petitioners' application dated 14.12.2023 be allowed.

4. On the other hand, learned Standing Counsel for the State submitted that the writ petition filed by the petitioners is not maintainable as impugned order has been passed during pendency of the petitioners' revision before the Board of Revenue. They further submitted that the petitioners have violated the condition of lease, as such, petitioners' lease has been cancelled. They further submitted that the application dated 14.12.2023 filed by the petitioners has been rightly rejected by the Board of Revenue and no interference is required in the matter.

5. I have considered the argument advanced by learned counsel for the parties and perused the records.

6. There is no dispute about the fact that the petitioners' revision, under Section 333 of U.P.Z.A. & L.R. Act is pending before the Board of Revenue and application dated 14.12.2023 filed by petitioners has been rejected.

7. Considering the fact that revision is pending for last more than 11 years, the interest of justice requires that the revision should be decided on merit rather any further interim relief in the revision.

8. Considering the entire facts and circumstances of the case, the instant writ petition is finally disposed of directing the respondent no.1/ Board of Revenue, U.P. Prayagraj to decide the aforementioned REV/88/2013-2014/Saharanpur (Shyam

Lal & others vs. Gram Sabha) under section 333 U.P.Z.A. & L.R. Act filed by petitioners after affording proper opportunity of hearing to the parties, expeditiously preferably within a period of two months from the date of production of certified copy of this order.

(Chandra Kumar Rai,J.)

February 3, 2026

Rameez